

HOPKINS *v.* HEBARD.

CERTIORARI TO THE CIRCUIT COURT OF APPEALS FOR THE
SIXTH CIRCUIT.

No. 30. Argued October 16, 19, 1914.—Decided November 30, 1914.

The function of a bill of review filed for newly discovered evidence is to relieve a meritorious complainant from a clear miscarriage of justice where the court is able to see, upon a view of all the circumstances, that the remedy can be applied without mischief to the rights of innocent parties and without unduly jeopardizing the stability of judicial decrees.

The relief prayed by a bill of review for newly discovered evidence is a matter of sound discretion and not of absolute right; and even though